United Nations A/59/503

General Assembly

Distr.: General
8 December 2004
English
Original: Spanish

Fifty-ninth session
Agenda item 105

Human rights questions

Report of the Third Committee*

Rapporteur: Mr. Carlos Enrique **García González** (El Salvador)

I. Introduction

1. At its 2nd plenary meeting, on 17 September 2004, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-ninth session the item entitled:

"Human rights questions:

"(a) Implementation of human rights instruments;

"(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;

"(c) Human rights situations and reports of special rapporteurs and representatives;

"(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action;

"(e) Report of the United Nations High Commissioner for Human Rights"

and to allocate it to the Third Committee.

2. An account of the Third Committee's consideration of the item is given in the addenda to the present report.

3. For its consideration of the item, the Committee had before it the following documents:

* The report of the Committee on this item will be issued in six parts, under the symbol A/59/503 and Add.1-5.

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Human rights questions

Letter dated 10 August 2004 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (A/59/225)

Letter dated 21 September 2004 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General (A/59/371)

Letter dated 1 October 2004 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/59/425-S/2004/808)

Letter dated 27 October 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Italy to the United Nations addressed to the Secretary-General (A/C.3/59/4)

Letter dated 1 November 2004 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General (A/C.3/59/6)

Letter dated 1 November 2004 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General (A/C.3/59/7)

Item 105 (a)
Implementation of human rights instruments

Report of the Committee against Torture on its thirty-first and thirty-second sessions[1]

Report of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on its first session[2]

Report of the Secretary-General on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (A/59/306)

Report of the Secretary-General on the effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights (A/59/308)

Report of the Secretary-General on the status of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery (A/59/309)

Report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/59/310)

Note by the Secretary-General transmitting the interim report of the Special Rapporteur of the Commission on Human Rights on torture and other cruel, inhuman or degrading treatment or punishment (A/59/324)

Note by the Secretary-General transmitting the report of the chairpersons of the human rights treaty bodies on their sixteenth meeting (A/59/254)

Note by the Secretariat regarding his annual report on the activities of the United Nations Voluntary Fund for Victims of Torture (A/59/353)

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[1] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 44* (A/59/44).
[2] Ibid., *Supplement No. 48* (A/59/48).

Letter dated 11 May 2004 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General (A/59/96)

Letter dated 27 October 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Italy to the United Nations addressed to the Secretary-General (A/C.3/59/4)

Item 105 (b)
Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Report of the Secretary-General on the right to development (A/59/255)

Note by the Secretary-General transmitting the interim report of the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions (A/59/319)

Report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights (A/59/320)

Report of the Secretary-General on regional arrangements for the promotion and protection of human rights (A/59/323)

Report of the Secretary-General on strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity (A/59/327)

Report of the Secretary-General on the protection of migrants (A/59/328)

Report of the Secretary-General on the question of enforced or involuntary disappearances (A/59/341)

Report of the Secretary-General on strengthening of the rule of law (A/59/402)

Report of the Secretary-General on the Subregional Centre for Human Rights and Democracy in Central Africa (A/59/403)

Report of the Secretary-General on protecting human rights and fundamental freedoms while countering terrorism (A/59/404)

Report of the Secretary-General on the Khmer Rouge trials (A/59/432 and Add.1)

Report of the Secretary-General on human rights and unilateral coercive measures (A/59/436)

Study of the United Nations High Commissioner for Human Rights on the protection of human rights and fundamental freedoms while countering terrorism (A/59/428)

Note by the Secretary-General transmitting the report of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities on its fourth session (A/59/360)

Note by the Secretary-General transmitting the interim report prepared by the Special Rapporteur of the Commission on Human Rights on freedom of religion or belief (A/59/366)

Note by the Secretary-General transmitting the report of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants (A/59/377)

Note by the Secretary-General transmitting the interim report of the Special Rapporteur of the Commission on Human Rights on the right to food (A/59/385)

Note by the Secretary-General transmitting the report of the Special Representative of the Secretary-General on human rights defenders (A/59/401)

Note by the Secretary-General transmitting the report of the Special Rapporteur of the Commission on Human Rights on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (A/59/422)

Letter dated 11 November 2004 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General (A/C.3/59/9)

Item 105 (c)
Human rights situations and reports of special rapporteurs and representatives

Note by the Secretary-General transmitting the interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967 (A/59/256)

Report of the Secretary-General on the situation of human rights in Myanmar (A/59/269)

Note by the Secretary-General transmitting the interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar (A/59/311)

Note by the Secretariat regarding the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Democratic People's Republic of Korea (A/59/316)

Note by the Secretary-General transmitting the report of the United Nations High Commissioner for Human Rights on assistance to Sierra Leone in the field of human rights (A/59/340)

Note by the Secretariat regarding the report of the independent expert on the situation of human rights in Burundi (A/59/352)

Note by the Secretariat regarding the situation of human rights in the Democratic Republic of the Congo (A/59/367)

Note by the Secretary-General transmitting the report of the independent expert on the situation of human rights in Afghanistan (A/59/370)

Note by the Secretariat regarding the report of the independent expert on the situation of human rights in the Democratic Republic of the Congo (A/59/378)

Note by the Secretary-General on the appointment of his Representative on the human rights of internally displaced persons (A/59/389)

Note by the Secretariat regarding the report of the independent expert on the situation of human rights in the Sudan (A/59/413)

Letter dated 25 October 2004 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/C.3/59/3)

Letter dated 27 October 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Italy to the United Nations addressed to the Secretary-General (A/C.3/59/4)

Letter dated 29 October 2004 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General (A/C.3/59/5)

Letter dated 1 November 2004 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General (A/C.3/59/8)

Item 105 (d)
Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

No documents were submitted under this sub-item.

Item 105 (e)
Report of the United Nations High Commissioner for Human Rights

Report of the United Nations High Commissioner for Human Rights[3]

4. At the 30th meeting, on 29 October 2004, the Special Rapporteur on violence against women, its causes and consequences addressed the Committee. At the 30th and 31st meetings, on 29 October, the Committee engaged in a question-and-answer session with the Special Rapporteur, in which the following delegations took part: Netherlands, Republic of Korea, Guatemala, New Zealand, Canada, Iran (Islamic Republic of), Democratic Republic of the Congo, Estonia, Indonesia and Syrian Arab Republic (see A/C.3/59/SR.30 and 31).

5. Also at the 31st meeting, the Special Rapporteur on trafficking in persons, especially in women and children, addressed the Committee and engaged in a question-and-answer session with the following delegations: United States of America, Thailand, Japan, Netherlands (on behalf of the States Members of the United Nations that are members of the European Union), Philippines, Burkina Faso and India (see A/C.3/59/SR.31).

II. Consideration of a draft decision proposed by the Chairman

6. At its 47th, 53rd and 54th meetings, on 18 and 24 November, on the proposal of the Chairman, the Committee decided to recommend to the General Assembly that it take note of a number of documents considered in connection with the question of human rights (see para. 7).

[3] Ibid., *Supplement No. 36* (A/59/36).

III. Recommendation of the Third Committee

7. The Third Committee recommends to the General Assembly the adoption of the following draft decision:

Reports considered by the General Assembly in connection with human rights questions

The General Assembly takes note of the following reports submitted under the item entitled "Human rights questions":

Under sub-item (a):

(a) Report of the Secretary-General on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;[1]

(b) Report of the Secretary-General on the effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights;[2]

(c) Report of the Secretary-General on the status of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery;[3]

(d) Report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;[4]

(e) Note by the Secretary-General transmitting the report of the chairpersons of the human rights treaty bodies on their sixteenth meeting.[5]

Under sub-item (b):

(a) Report of the Secretary-General on the right to development;[6]

(b) Report of the Secretary-General on the protection of migrants;[7]

(c) Report of the Secretary-General on strengthening of the rule of law;[8]

(d) Report of the Secretary-General on the Subregional Centre for Human Rights and Democracy in Central Africa;[9]

(e) Report of the Secretary-General on Khmer Rouge trials;[10]

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[1] A/59/306.
[2] A/59/308.
[3] A/59/309.
[4] A/59/310.
[5] A/59/254.
[6] A/59/255.
[7] A/59/328.
[8] A/59/402.
[9] A/59/403.
[10] A/59/432 and Add.1.

(f) Report of the Secretary-General on human rights and unilateral coercive measures;[11]

(g) Note by the Secretary-General transmitting the interim report prepared by the Special Rapporteur of the Commission on Human Rights on freedom of religion or belief;[12]

(h) Note by the Secretary-General transmitting the report of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants;[13]

(i) Note by the Secretary-General transmitting the report of the Special Representative of the Secretary-General on human rights defenders;[14]

(j) Note by the Secretary-General transmitting the report of the Special Rapporteur of the Commission on Human Rights on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.[15]

Under sub-item (c):

(a) Note by the Secretary-General transmitting the interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967;[16]

(b) Note by the Secretary-General transmitting the report of the United Nations High Commissioner for Human Rights on assistance to Sierra Leone in the field of human rights;[17]

(c) Note by the Secretary-General transmitting the report of the independent expert on the situation of human rights in Afghanistan;[18]

(d) Oral report of the independent expert on the situation of human rights in the Democratic Republic of the Congo;[19]

(e) Oral report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Democratic People's Republic of Korea;[19]

(f) Oral report of the independent expert of the Commission on Human Rights on the situation of human rights in the Sudan.[20]

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[11] A/59/436.
[12] A/59/366.
[13] A/59/377.
[14] A/59/401.
[15] A/59/422.
[16] A/59/256.
[17] A/59/340.
[18] A/59/370.
[19] See A/C.3/59/SR.29.
[20] See A/C.3/59/SR.30.